

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76484 of 2024

Arising Out of PS. Case No.-1036 Year-2024 Thana- SIWAN COMPLAINT CASE District-
Siwan

Prabhu Chaudhary S/O Rajendra Chaudhary R/O Village- Sandha Mathiya,
P.O- Sandha, Distt.- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Devi W/O Prabhu Chaudhary, D/O Gandhi Chaudhary R/O Sada Mathiya, P.O- Sada, P.S- Chapra Muffasil, Distt.- Saran, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Basant Kumar Singh, Adv. Mr. Vishesh Kumar Singh, Adv.
For the State	:	Mr. Rajesh Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 03-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. Despite issuance of notice and also the same having
been received by the complainant personally, nobody appears
on her behalf.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
498A, 406, 504, 34 of the Indian Penal Code. However,
cognizance has been taken under Section 498A only.

4. The instant case arises out of the complaint filed by the
opposite party no.2, wife of the petitioner, alleging therein that
there was demand of dowry and the consequent torture upon



her.

5. Learned counsel for the petitioner submits that the allegations levelled against the petitioner in the complaint are not correct and as a matter of fact, the petitioner never tortured the complainant and has always been ready to keep his wife with due dignity and honour and the same has also been stated in paragraph 9 of the bail application. It is also pointed out that a counselling session was also held between the parties in the Chamber of learned District and Sessions Judge, Siwan, but the mediation process failed and it has been recorded in the bail rejection order that the complainant was adamant that she is not ready to live with the petitioner and hence, there is no scope of pacify the matter.

6. Learned APP for the State, however, opposes the prayer for anticipatory bail.

7. Considering the entire facts and circumstances, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is



pending/successor Court in connection with Complaint Case
No. 1036 of 2024, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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